

# Exhibit 9

**Exhibit 9**

U.S. Department of Homeland Security  
Office of Chief Counsel  
20 Massachusetts Ave., NW, 4<sup>th</sup> Floor  
Washington, DC 20529

RECEIVED

FEB 02 2012

MORRISON & FOERSTER



U.S. Citizenship  
and Immigration  
Services

January 9, 2012

APP2011001001

Jason A. Malinsky  
Morrison and Foerster, LLP  
425 Market Street  
San Francisco, CA 94105-2482

Dear Mr. Malinsky:

Re: COW2011000600

You appealed the action of the National Records Center regarding your request for access to records. Specifically, you appealed USCIS's September 26, 2100 decision to withhold the entire USCIS International Operations Year End Report FY 2010 pursuant to 5 U.S.C. § (b)(5).

After careful consideration of your appeal, we have decided to affirm the initial action in this case. We have determined that the National Records Center properly withheld certain information that is protected from disclosure under the Freedom of Information Act and that this information is not appropriate for discretionary release.

If you are dissatisfied with our action on your appeal, you may seek judicial review in accordance with 5 U.S.C. § 552(a)(4)(B). The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. The OGIS does not have the authority to handle requests made under the Privacy Act of 1974. If you wish to contact OGIS, you may email them at [ogis@nara.gov](mailto:ogis@nara.gov) or call 1-877-684-6448.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan D. Hughes", is written over a horizontal line.

Alan D. Hughes, Associate Counsel  
Commercial and Administrative Law Division  
Department of Homeland Security  
Citizenship and Immigration Services